



<b>TRANSMITTAL LETTER</b> (General - Patent Pending)			Docket No. PU2199
In Re Application Of: EVANS			
Serial No. 10/748,387	Filing Date 12/29/03	Examiner PASSANITI, S.	Group Art Unit 3711
Title: GOLF CLUB HEAD WITH METAL STRIKING PLATE INSERT			<b>RECEIVED</b> <b>CENTRAL FAX CENTER</b>  AUG 02 2004 <b>OFFICIAL</b>
<u>TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:</u>			
Transmitted herewith is:  ONE REPLACEMENT TERMINAL DISCLAIMER OVER PATENT 6,669,578 ONE NEW TERMINAL DISCLAIMER OVER PATENT 6,648,773			
in the above identified application.			
<input type="checkbox"/> No additional fee is required.			
<input type="checkbox"/> A check in the amount of _____ is attached.			
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge and credit Deposit Account No. 500303 as described below. A duplicate copy of this sheet is enclosed.			
<input checked="" type="checkbox"/> Charge the amount of \$110.00			
<input checked="" type="checkbox"/> Credit any overpayment.			
<input checked="" type="checkbox"/> Charge any additional fee required.			
 Signature		Dated: August 2, 2004	
MICHAEL A. CATANIA REG. NO. 36,474 CALLAWAY GOLF COMPANY 2180 RUTHERFORD ROAD CARLSBAD, CALIFORNIA 92008-7328 TEL: (760) 930-8493 FAX: (760) 930-5019 EMAIL: MIKECA@CALLAWAYGOLF.COM			
cc:		<div style="font-size: small;">I certify that this document and fee is being deposited on <u>8/2/04</u> with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.</div> <div style="text-align: center;"> Signature of Person Mailing Correspondence</div> <div style="text-align: center;">SUSAN GLENN Typed or Printed Name of Person Mailing Correspondence</div>	

P168/FE/01

**Terminal Disclaimer To Obviate A Double  
Patenting Rejection Over A Prior Patent**

Docket No.  
PU2199

In Re Application Of: EVANS

Serial No.  
10/748,387

Filing Date  
12/29/03

Examiner  
PASSANTIL, S.

Group Art Unit  
3711

Invention:

**GOLF CLUB HEAD WITH METAL STRIKING PLATE INSERT**

Owner of Record: CALLAWAY GOLF COMPANY

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

The above-identified owner of record of a 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,669,578. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.

  
Signature

Dated: August 2, 2004

MICHAEL A. CATANIA

Typed or Printed Name

- ☒ Terminal disclaimer fee under 37 C.F.R. 1.20(d) included.  
☒ PTO suggested wording for terminal disclaimer was unchanged.  
☐ Certification under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee.

P32/RS/J01